UNITED STATES INTERNATIONAL TRADE COMMISSION Washington, DC 20436

In the Matter of)	Investigation Nos.
	,	9
)	303-TA-23, 731-TA-566-570, 731-TA-641
FERROSILICON FROM BRAZIL,)	(Final) (Reconsideration) (Remand)
CHINA, KAZAKHSTAN, RUSSIA,)	
UKRAINE AND VENEZUELA)	
)	

NOTICE OF COMMISSION DETERMINATION TO CONDUCT A PORTION OF THE HEARING IN CAMERA

AGENCY: U.S. International Trade Commission.

ACTION: Closure of a portion of a Commission hearing to the public.

SUMMARY: Upon request of domestic producer Elkem Metals Co., the Commission has determined to conduct a portion of its hearing in the above-captioned proceedings scheduled for June 6, 2002, *in camera*. *See* Commission rules 207.24(d), 201.13(m) and 201.36(b)(4) (19 C.F.R. §§ 207.24(d), 201.13(m) and 201.36(b)(4)). The remainder of the hearing will be open to the public. The Commission has determined that the seven-day advance notice of the change to a meeting was not possible. *See* Commission rule 201.35(a), (c)(1) (19 C.F.R. § 201.35(a), (c)(1)).

FOR FURTHER INFORMATION CONTACT: Marc A. Bernstein, Office of General Counsel, U.S. International Trade Commission, 500 E Street, S.W., Washington, D.C. 20436, telephone 202-205-3087, e-mail mbernstein@usitc.gov. Hearing-impaired individuals are advised that information on this matter may be obtained by contacting the Commission's TDD terminal on 202-205-1810.

SUPPLEMENTARY INFORMATION: The Commission believes that Elkem has justified the need for a closed session. Elkem seeks a closed session to allow testimony concerning the effect domestic ferrosilicon producers' agreement to establish floor prices had on U.S. ferrosilicon prices during the Commission's original periods of investigation. Because such discussions will necessitate disclosure of business proprietary information (BPI), they can only occur if a portion of the hearing is held *in camera*. In making this decision, the Commission nevertheless reaffirms its belief that whenever possible its business should be conducted in public.

The hearing will include public presentations by domestic producers and by respondents, with questions from the Commission. In addition, the hearing will include an *in camera* session for a confidential presentation by Elkem and for questions from the Commission relating to the BPI, followed by an *in camera* rebuttal presentation by respondents and for questions from the Commission relating to the BPI. For any *in camera* session the room will be cleared of all persons except those who have been

granted access to BPI under a Commission administrative protective order (APO) and are included on the Commission's APO service list in this investigations. *See* 19 C.F.R. § 201.35(b)(1), (2). The time for the parties' presentations and rebuttals in the *in camera* session will be taken from their respective overall allotments for the hearing. All persons planning to attend the *in camera* portions of the hearing should be prepared to present proper identification.

AUTHORITY: The General Counsel has certified, pursuant to Commission Rule 201.39 (19 C.F.R. § 201.39) that, in her opinion, a portion of the Commission's hearing in *Ferrosilicon from Brazil, China, Kazakhstan, Russia, Ukraine, and Venezuela*, Inv. Nos. 303-TA-23, 731-TA-566-570, 731-TA-641 (Final) (Reconsideration) (Remand) may be closed to the public to prevent the disclosure of BPI.

By order of the Commission.

Marilyn R. Abbott Secretary

Issued: June 4, 2002